

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



April 24, 2014

Tim Smith
Deputy Fire Chief
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945

RE: Ordinance #419

Dear Mr. Smith:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on April 17, 2014.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



CITY OF LEMON GROVE

April 14, 2014

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

To whom it may concern,

Enclosed please find the City of Lemon Grove's approved local amendments and findings for the 2013 California Fire Code.

Please feel free to contact me if you have any questions.

Respectfully,

Tim Smith
Deputy Fire Chief

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2014 APR 17 A 11:31
CALIFORNIA BUILDING
STANDARDS COMMISSION

ORDINANCE NO. 419

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA ADOPTING THE CALIFORNIA FIRE CODE, 2013 EDITION, AND 2012 INTERNATIONAL FIRE CODE BY REFERENCE WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS.

WHEREAS, Health & Safety Code Section 17958 mandates that the City of Lemon Grove adopt ordinances or regulations imposing the same requirements as are contained in the regulations adopted by the State pursuant to Health & Safety Code, Section 17922; and

WHEREAS, the State of California is mandated by Health & Safety Code Section 17922 to impose the same requirements as are contained in the 2013 California Fire Code, hereinafter referred to collectively as the Fire Code; and

WHEREAS, The 2013 California Fire Code together with the City of Lemon Grove amendments shall be the City of Lemon Grove Fire Code for the purpose of prescribing regulations in the City of Lemon Grove; and

WHEREAS, code amendments adopted by the State of California shall take precedence over the 2012 International Fire Code language. The 2012 International Fire Code language shall be used for those code sections not adopted by the State; and

WHEREAS, local amendments adopted by the City of Lemon Grove shall take precedence over both 2013 California Fire Code and 2012 International Fire Code; and

WHEREAS, Health & Safety Code Section 17958.5 permits the City of Lemon Grove to make such changes or modifications to the Codes as are reasonably necessary because of local conditions; and

WHEREAS, Health & Safety Code Section 17958.7 requires that the City of Lemon Grove, before making any changes or modifications pursuant to Section 17958.5, make express findings that such changes or modifications are needed due to climatic, geographic, or topographic conditions; and

WHEREAS, the City Council of the City of Lemon Grove does herewith find that the City of Lemon Grove has certain climatic, geologic, and topographical features that can have a deleterious effect on emergency services such as fire protection and emergency medical services; and

WHEREAS, the City of Lemon Grove finds that the modifications and changes to the 2013 California Fire Code are reasonably necessary because of the following local climatic, geological, and topographical conditions identified in Exhibit 1; and

WHEREAS, certain amendments to the 2013 California Fire Code serve to mitigate to the extent possible said deleterious effects; and

WHEREAS, Section 50022.1 through 50022.10, inclusive, of the Government Code, provide authority for the adoption by reference of codes, or portion of such codes; and

NOW THEREFORE, the City Council of the City of Lemon Grove does ordain as follows;

1. Ordinance Number 395 (Amended) of the City of Lemon Grove is hereby repealed and replaced with this Ordinance. Section 2, herein, shall be codified as Lemon Grove Municipal Code Section 15.36.010 (Adoption).

2. Lemon Grove Municipal Code Section 15.36.010 (Adoption) shall be amended to read as follows:

That a certain document, one copy of which is on file in the office of the City Clerk and the Fire Department of the City of Lemon Grove, being marked and designated as the 2013 California Fire Code, including Appendix Chapters, Appendix Chapter 4 (Special Detailed Requirements Based on Use and Occupancy) , Appendix B (Fire-Flow Requirements for Buildings), BB (Fire-Flow Requirements for Buildings), C (Fire Hydrant Locations and Distribution), CC (Fire Hydrant Locations and Distribution), D (Fire Apparatus Access Roads), H (Hazardous Materials Management Plans (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions), I (Fire Protection Systems-Noncompliant Conditions), & K (Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses), as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Lemon Grove, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, and the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use, and maintenance of buildings and structures, including providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City Clerk and in the Fire Department of the City of Lemon Grove are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in the following sections of this ordinance.

3. Chapter 1 (Scope and Administration) of the California Fire Code is hereby amended and added to Lemon Grove Municipal Code Section 15.36.020 as follows:

Section 101.1 Title is revised to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Lemon Grove, herein referred to as the "code."

Section 103.2 is deleted from the Fire Code.

Section 104.12 Cost Recovery is added to read as follows:

Section 104.12 COST RECOVERY

Section 104.12.1 Purpose. The purpose of this section is to establish authority to obtain reimbursement from responsible individuals for the expenses of any emergency response and/or enforcement action by the City of Lemon Grove Fire Department to protect the public from fire or hazardous substances and situations as allowed by the general laws of the State of California and the Lemon Grove Municipal Code.

Section 104.12.2 Reimbursement.

(a) In accordance with the Health and Safety Code section 13000 et seq. (as amended), any individual who acts negligently or in violation of the law and thereby requires the jurisdiction to provide an emergency response to a danger posed by a fire or hazardous substance shall be liable for reimbursement to the agency for the costs incurred.

(b) In accordance with Government Code Sections 53150 through 53158 (as amended), any individual who is under the influence of an alcoholic beverage or any drug or the combined influence of an alcoholic beverage or any drug, and whose negligent operation of a motor vehicle, boat or vessel, or civil aircraft caused by that influence, proximately causes any incident and thereby requires the agency to provide an emergency response shall reimburse the agency for the cost incurred.

Section 105.1.1.1 Schedule of fees is added to read as follows:

105.1.1.1 Schedule of fees. The permit fees for all permits authorized by this code shall be as listed in the City of Lemon Grove Fee Schedule, as amended by the Lemon Grove City Council from time to time.

Section 105.3.9 Expense Recovery is added to read as follows:

Section 105.3.9 Expense Recovery. The purpose of this section is to establish authority to obtain reimbursement from responsible individuals for the expenses of any emergency response and/or enforcement action by the City of Lemon Grove Fire Department to protect the public from fire, hazardous substances and dangerous situations as allowed under the Lemon Grove Municipal Code and by the laws of the State of California.

Section 105.6 Required Operational Permits is added to read as follows:

Section 105.6.48 Christmas Tree Lots. An operational permit is required to operate a Christmas tree lot with or without flame proofing services.

Section 105.6.49.1 Greenwaste Recycling, Mulching, Composting Operations and Storage. An operational permit is required to conduct commercial mulching and composting operations.

Section 108 Board of Appeals is hereby revised to read as follows:

Section 108. Appeals Procedure for The City Of Lemon Grove. Whenever the Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply, the applicant may appeal the decision to the Lemon Grove City Council within thirty days from the date of the decision appealed.

Section 109.4 Violation Penalties is amended to read as follows:

Section 109.4 Violation Penalties. Any person who violates a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or lawful directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction, punishable by a fine of not more than one thousand dollars in the manner established in Lemon Grove Municipal Code Section 1.12.010 C. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time.

Section 109.4.2 Cumulative Remedies is added to read as follows:

The remedies contained in this code are cumulative and inclusive of other remedies contained in the Lemon Grove Municipal Code. Nothing herein prevents the City Attorney or appropriate enforcement officer from pursuing the remedies set out in Chapters 1.12, 1.14, 1.24 or any other remedy at law or equity to address violations of this code. Nothing herein shall prevent the application of civil remedies authorized by Lemon Grove Municipal Code Section 1.12.010 E.

Section 111.4 Failure to Comply is revised to read as follows:

Section 111.4 Failure to Comply. Any person, who shall continue any work having been served with a stop work order, except such work as that the person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$250.00 dollars or more than \$1,000 dollars as provided for in Lemon Grove Municipal Code Section 1.12.010 C.

4. Chapter 2 (Definitions) of the 2013 California Fire Code is amended and added to Lemon Grove Municipal Code Section 15.36.020 as follows:

The following definitions shall be amended to read as follows:

Accessory Structure is a building or structure used to shelter or support any material, equipment, chattel, or occupancy other than a habitable building. (A) (See Structure.)

Combustible Vegetation is material that in its natural state will readily ignite, burn and transmit fire from the vegetative growth to any structure; this includes ground fuels which are any native or landscape vegetation not considered a tree and generally in contact with the ground.

Discretionary Project means a project, which requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.

Fire Authority Having Jurisdiction (FAHJ) is the designated entity providing enforcement of fire regulations as they relate to planning, construction, and development. This entity may also provide fire suppression and other emergency services.

Fire Department is any regularly organized fire department, fire protection district, a legally formed volunteer fire department recorded with the County of San Diego, or fire company regularly charged with the responsibility of providing fire protection to the jurisdiction.

Fire Hazard is anything that increases or could create an increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or anything or act which could obstruct, delay, hinder or interfere with the operations of the fire department or egress of occupants in the event of fire.

Off-site Roadway is a road, street, public highway, or private road used for fire apparatus access from a publicly maintained road to the boundary of the subject property.

On-site Roadway is a road, street, public highway, private road, or driveway used for fire apparatus access within the boundaries of the subject property or land division.

Planning Authority Having Jurisdiction (PAHJ) is the identified authority regulating and enforcing planning and/or construction standards.

Structure means a residence and attached garage, building or related facility that is designed primarily for human use or habitation or buildings designed specifically to house farm animals. Decking, fences and similar facilities are not considered structures for the purposes of establishing the limits of the fuel modification zone. Freestanding open sided shade covers, sheds, gazebos, and similar accessory structures less than two hundred fifty (250) square feet and thirty feet (30') or more from the main building are not considered structures for the purposes of this appendix. (See Accessory Structure.)

Vegetation Conflagration is an uncontrolled fire spreading through vegetative fuels, and exposing and consuming structures in the advancing path of fire.

Travel time is the estimated time it would take for a responding agency to travel from the fire station to the furthest structure in a proposed development project, determined by measuring the safest, most direct, appropriate, and reliable route with consideration given to safe operating speeds for heavy fire apparatus.

Wildland-Urban Interface Code is the code regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures, and prevention of structure fires from spreading to wildland fuels as adopted by the local FAHJ.

Response Time is the elapsed time from the fire department's receipt of the first alarm to when the first fire unit arrives at the scene.

5. Chapter 3 (General Requirements) of the 2013 California Fire Code is amended and added to Lemon Grove Municipal Code Section 15.36.020 as follows:

Section 316.3.1 Cumulative remedy is added to read as follows:

316.3.1 Cumulative remedy. The procedures established in this section are in addition to criminal, civil or other legal remedies that may be available to the City of Lemon Grove to enforce violations of the municipal code or applicable state codes.

6. Chapter 5 (Fire Service Features) of the 2013 California Fire Code is amended to Lemon Grove Municipal Code Section 15.36.020 as follows:

Section 503.2.1 Dimensions is amended to read as follows:

503.2.1 Dimensions.

(a) Fire apparatus access roads shall have an unobstructed improved width of not less than twenty feet (20'), except for single-family residential driveways serving no more than two single-family dwellings, which shall have a minimum of 16 feet of unobstructed improved width. Any of the following, which have separated lanes of one-way traffic: gated entrances with card readers, guard stations or center medians, are allowed, provided that each lane is not less than fourteen feet (14') wide.

(b) All fire apparatus access roads shall have an unobstructed vertical clearance of not less than thirteen feet six inches (13'6"). Vertical clearances or road widths shall be increased when, in the opinion of the fire code official, vertical clearances or road widths are not adequate to provide fire apparatus access.

Exception: Upon approval of the fire code official, vertical clearances or road width may be reduced as long as the reduction does not impair access by fire apparatus. In cases where the vertical clearance has been reduced, approved signs shall be installed and maintained indicating the amount of vertical clearance.

Section 503.3.1 Fire lane designation is added to read as follows:

503.3.1 Fire lane designation. Where the fire code official determines that it is necessary to ensure adequate fire access, the fire code official may designate existing roadways as fire access roadways as provided by Vehicle Code Section 22500.1 or 22658(a).

503.6 amended—Security gates is amended to read as follows:

503.6 Security gates. No person shall install a security gate or security device across a fire access roadway without the fire code official's approval. All driveways with a gate shall be at least two feet wider than the width of the traffic lane(s) serving the gate. An automatic gate across a fire access roadway or driveway shall be equipped with an approved emergency key-operated switch overriding all command functions and opening the gate. A gate accessing more than four (4) residences or residential lots or a gate accessing hazardous institutional, educational or assembly occupancy group structure, shall also be equipped with an approved emergency traffic control-activating strobe light sensor or other device approved by the fire code official, which will activate the gate on the approach of emergency apparatus with a battery back-up or manual mechanical disconnect in case of power failure. An automatic gate shall meet fire department policies deemed necessary by the fire code official for rapid, reliable access. An automatic gate serving more than one (1) dwelling or residential lot in existence at the time of adoption of this chapter is required to install an approved emergency key-operated

switch or other mechanism approved by the fire code official, at an approved location, which overrides all command functions and opens the gate. A property owner shall comply with this requirement within ninety (90) days of receiving written notice to comply. Where this section requires an approved key-operated switch, it may be dual-keyed or equipped with dual switches provided to facilitate access by law enforcement personnel. Electric gate openers, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

505.1 Address identification is amended to read as follows:

505.1 Address identification. Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: three inches (3") high with a one-half inch (½") stroke for individual suites and apartments, four inches (4") high with a one-half inch (½") stroke for residential buildings, eight inches (8") high with a one-half inch (½") stroke for commercial and multi-residential buildings, twelve inches (12") high with a one-inch (1") stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the fire code official, such as rear access doors, building corners, and entrances to commercial centers. The fire code official may require larger address numbers based on visibility and the needs of emergency response personnel.

Section 505.3 Map directories is added to read as follows:

505.3 Map Directories. A lighted directory map, meeting current fire department standards, shall be installed at each driveway entrance to multiple unit residential projects and mobile home parks, where the numbers of units in such projects exceed fifteen (15).

505.4 Response map updates is added to read as follows:

505.4 Response map updates. Any new development, which necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates in a format (PDF and/or CAD format as approved by the FAHJ) or compatible with current department mapping services, and shall be charged a reasonable fee for updating all response maps.

Section 506.2.1 Emergency key access is added to read as follows:

506.2.1 Emergency key access. All central station-monitored fire detection systems and fire sprinkler systems shall have an approved emergency key access box on site in an approved location. The owner or occupant shall provide and maintain current keys for the structure(s) for fire department placement in the box, and shall notify the fire department in writing when the building is re-keyed.

Section 507.5.1 Where required is amended to read as follows:

507.5.1 Where required. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the City. When any portion of the facility or building protected is in excess of four hundred feet (400') (152.900 meters) from a water supply on a public or private street, as measured by an approved route around the exterior of the facility or building, fire hydrants and mains capable of supplying the required flow shall be provided when required by the fire code official. The size of fire hydrant outlets shall be a minimum of one four-inch (4") and one two-and-a-half inch (2½") NST outlet or greater as required by the fire code official.

In multi-family zones and in commercial and industrial zones, fire hydrants shall be installed at intersections, at the beginning radius of cul-de-sacs, and every three hundred feet (300') of fire access roadways, regardless of parcel size. The size of fire hydrant outlets shall be a minimum of one four-inch (4") and two two-and-a-half inch (2½") NST outlet or greater as required by the fire code official.

EXCEPTIONS:

1. Existing structures which are being remodeled or adding additional square footage need not provide additional hydrants where the entire structure is protected with an approved automatic fire extinguishing system.
2. Where alternate methods of fire protection are provided and approved, adjusted spacing of fire hydrants may be approved at the discretion of the Fire code official.

7. Chapter 6 (Building Services and Systems) of the 2013 California Fire Code is amended and added to Lemon Grove Municipal Code Section 15.36.020 as follows:

Section 605.11.3 Access and pathways is amended to read as follows:

Section 605.11.3 Exceptions:

1. Residential structures shall be designed so that each photovoltaic array is no greater than 50 feet by 50 feet in either axis.
2. Panel/modules may be permitted to be located in approved access pathways where an alternative ventilation method approved by the fire code official has been provided or when the fire code official has determined vertical ventilation techniques will not be employed.

Section 605.11.3.3.2 Smoke ventilation is amended to read as follows:

605.11.3.3.3 Smoke ventilation: The solar photovoltaic installation shall be designed to meet the following requirements:

1. Arrays shall be designed so that each photovoltaic array is no greater than 50 feet by 50 feet in either axis in order to create opportunities for smoke ventilation operations.
2. Smoke ventilation options between array sections shall be one of the following:
 - 2.1. A pathway 8 feet or greater in width.
 - 2.2. A pathway 4 feet or greater in width and bordering roof skylights or smoke and heat vents.
 - 2.3. A pathway 4 feet or greater in width and bordering 4 foot by 8 foot venting cutouts every 20 feet on alternating sides of the pathway.

Exception: The fire code official may require additional means of ventilating a building including the installation of a manually operated ventilation system.

8. Chapter 9 (Fire Protection Systems) of the 2013 California Fire Code is amended and added to Lemon Grove Municipal Code Section 15.36.020 as follows:

Section 901.8.2 Use of water from fire hydrants is added to read as follows:

901.8.2 Use of water from fire hydrants. Fire hydrants are provided for the sole purpose of extinguishing fires, and are to be opened and used only by the fire department, Padre Dam Water District (in its service area) or Helix Water District (in its service area), or such other persons as are specially authorized by Helix Water District or Padre Dam Water District upon

such person making application with the district. Such use shall be permitted only upon the following conditions:

1. To insure safety of fire hydrants for fire protection, any person authorized by Padre Dam Water District and Helix Water District to open fire hydrants shall use only the lower two and one-half inch (2½") valve of such hydrants.
2. No person, except persons employed by Helix Water District, Padre Dam Water District, or the fire department shall carry away any water from any fire hydrant without a written permit furnished by Helix Water District or Padre Dam Water District upon regular application.
3. No person shall open fire hydrants by any means other than an approved hydrant wrench or approved Spanner wrench, and no person shall fail to replace caps on outlets when the same are not in use. Failure to meet these requirements shall be sufficient cause to prohibit future use of such hydrants upon subsequent application.
4. No person shall authorize, permit or allow in the course of or in the scope of employment or agency, any employees or agents to violate any of the provisions of this section. The violation of any of the provisions of this section by an employee or any person in the course of or within the scope of employment, shall be conclusive evidence of the consent of the principal. , in the absence of the posting of a bond with the City as provided for in Subsection E.
5. In the event that any principal desires to be exempt from the acts of employees or agents in respect to the provisions of this section, such person may post a bond in the sum of one thousand dollars (\$1,000), in a form approved by the city attorney, to provide protection to the City for damage done to fire hydrants by reason of water being taken by or for the use of such principal.

Section 903.2 Where required is amended to read as follows:

903.2 Where required. Approved automatic fire sprinkler systems are required in all new structures and in locations described in Sections 903.2.1 through 903.2.1.2. Fire barriers, partitions and walls, regardless of rating, shall not be considered as creating separate buildings for purposes of determining fire sprinkler requirements. Mezzanines shall be included in the total square footage calculation. For additions, an automatic sprinkler system installed in accordance Section 903.2 may be required to be installed throughout structures when the addition is more than fifty percent (50%) of the existing building or when the altered building will exceed a fire flow as calculated per Section 507.3. The fire code official may require an automatic sprinkler system be installed in buildings where no water main exists to provide the required fire flow or where a special hazard exists such as: poor access roads, grade and canyon rims, hazardous brush and response times greater than five (5) minutes by a fire department. When Fire Sprinklers are required under additions, this shall mean the entire structure or structures shall be equipped with fire sprinklers. The fire code official may require that other protective measures be taken based on existing conditions and/or potential hazards.

EXCEPTION:

1. Non-residential occupancies not greater than one thousand (1,000) square feet, and not otherwise considered enclosed buildings/structures, which are of ignition-resistant construction or as determined by the fire code official to not present a significant fire hazard.

2. Agricultural buildings constructed of wood or metal frames, over which fabric or similar material is stretched, which are specifically used as green houses are exempt from the automatic sprinkler requirements unless physically connected to other structures.

Section 905.3.1 Height is amended to read as follows:

Section 905.3.1 shall be installed is amended to read as follows:

1. Buildings where the floor level of the highest floor is located more than twenty feet (20') above the lowest level of fire department vehicle access.
3. Buildings where the floor level of the lowest story is located more than twenty feet (20') below the highest level of fire department vehicle access.

9. Chapter 50 (Hazardous Materials-General Provisions) of the 2013 California Fire Code is amended and added to Lemon Grove Municipal Code Section 15.36.020 as follows:

Section 5001.5.1.2 HMMP approved location is added to read as follows:

5001.5.1.2 HMMP approved location. The hazardous materials management plan shall be placed in an approved location, in a security box or other method of storage as approved by the fire code official or designated representative.

10. Appendix D (Fire Apparatus Access Roads) of the 2013 California Fire Code is amended and added to Lemon Grove Municipal Code Section 15.36.020 as follows:

Section D103.4 Dead ends is amended to read as follows:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of one hundred fifty feet (150') (45.720 meters) shall be provided with width and turnaround provisions in accordance with table D103.4, or with alternate design as approved by the fire code official.

11. Chapter 57 (Flammable and Combustible Liquid) of the 2013 California Fire Code is amended and added to Lemon Grove Municipal Code Section 15.36.030 as follows:

Section 5704.2.9.6.1 Location where above-ground tanks are prohibited is amended to read as follows:

5704.2.9.6.1 Location where above-ground tanks are prohibited. Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited within the jurisdictional limits of the City of Lemon Grove.

EXCEPTIONS:

1. Two thousand (2,000) gallons maximum temporary above-ground tanks meeting UL 2085 for private use on farms, agricultural and rural property, remote construction sites, earth moving projects, gravel pits or borrow pits. Such tanks shall be specially designed, approved and listed, and have features incorporated into their design, which mitigates concerns for exposure to heat (two-hour fire resistance), ignition sources, and mechanical damage.
2. Crankcase draining may be stored in specially constructed above-ground storage tanks, approved by the fire code official, with a maximum capacity of five hundred fifty (550) gallons. Such tanks may be located within a building when the fire code official deems appropriate, and the container meets the following: specially designed, approved and listed containers, which have features incorporated into their design, which mitigates concerns for exposure to heat, ignition sources and mechanical damage. Containers

must be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. In no case shall such storage be permitted in residential or institutional property.

3. With the fire code official's approval, Class I and Class II liquids may be stored above ground outside of buildings in specially designed, approved and listed containers, which have features incorporated into their design, which mitigates concerns for exposure to heat, ignition sources and mechanical damage. Containers must be installed and used in accordance with their listing, and provisions must be made for leak and spill containment. The fire code official may disapprove the installation of such containers when in his opinion their use presents a risk to life or property.

4. With the fire code official's approval, temporary storage of a maximum of ten thousand (10,000) gallons of Class II liquids may be permitted for a period not to exceed ninety (90) days at remote construction sites, earth-moving projects, gravel pits, or borrow pits, consistent with Sections 5704 and 5706.

Section 5706.2.4.4 Location where above-ground tanks are prohibited is amended to read as follows:

5706.2.4.4 Location where above-ground tanks are prohibited. Storage of Class I and Class II liquids in above-ground tanks is prohibited within residential areas of the City of Lemon Grove.

12. Chapter 58 (Flammable Gases and Flammable Cryogenic Fluids) of the 2013 California Fire Code is amended and added to Lemon Grove Municipal Code Section 15.36.030 as follows:

Section 5806.2 Limitations is amended to read as follows:

5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the jurisdictional limits of the City of Lemon Grove.

13. Chapter 61 (Liquefied Petroleum Gases) of the 2013 California Fire Code is amended and added to Lemon Grove Municipal Code Section 15.36.030 as follows:

Section 6104.2 Maximum capacity within established limits is amended to read as follows:

6104.2 Maximum capacity within established limits. The geographic limits in which the bulk storage of liquefied petroleum gas is prohibited for the protection of heavily populated and congested areas is hereby established as jurisdictional limits of the City of Lemon Grove.

14. That Ordinance No. 395, An Ordinance of the City of Lemon Grove, which adopted the California Fire Code, 2009 Edition, (Lemon Grove Municipal Code Sections 15.36.010, 15.36.020 and 15.36.030) and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

15. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

16. That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

17. This Ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published as set forth below.

18. A notice shall be published once in a newspaper of general circulation in the City, setting forth the title of this Ordinance, the date of its introduction and places where this Ordinance is posted. Within fifteen (15) days following final adoption, a summary of the Ordinance with the names of the council members and votes shall be published in a newspaper of general circulation.

EXHIBIT 1

CITY OF LEMON GROVE FIRE DEPARTMENT

2013 California Fire Code and 2012 International Fire Code Adoption

FINDING OF FACTS

Pursuant to SECTIONS 18941.5, 17922, 17959.5 and 17958.7 of the Health and Safety Code of the State of California, and in recognition that modifications of Sections and/or Articles of the 2013 California Fire Code and the 2012 International Fire Code is proposed that would provide more restrictive standards than the State Building Standards Code, and that such modification is reasonably necessary to better serve the public interest by reducing the risk of loss of life and property and to the citizens of Lemon Grove, this "Findings of Facts" document is submitted.

FINDING 1

That the City of Lemon Grove is bordered by two major freeways (Highway 94 and Highway 125) traversing in an east/west direction and a north/south direction. It is a frequent occurrence for the aforementioned freeways to support the transportation of hazardous materials. The potential for release or threatened release of hazardous material along one of these freeways is probable, given the volume transported daily. The City is also transected by a mass transit trolley line that begins in the City of San Diego, travels through the City of Lemon Grove and ends in the City of Santee. The trolley runs north and south through the City on 15 minute intervals and delays emergency vehicles on a regular basis. The City of Lemon Grove has experienced and will continue to experience increased conditions of traffic congestion. These conditions will negatively affect access and the Fire Department's ability to deliver service. Furthermore, the afore-described conditions support the imposition of fire protection requirements greater than those set forth in the State Building Standards Code. In particular, they support the imposition of greater requirements than set forth in Chapter 9 of the 2013 California Fire Code and the 2012 International Fire Code.

FINDING 2

The City of Lemon Grove is situated near three major earthquake faults, each capable of generating quakes with a magnitude of 7.0. These faults are the Ellsinore Fault, approximately 40 km northeast of Lemon Grove; the Rose Canyon Fault, which extends east from La Jolla Cove, through Rose Canyon and west into San Diego; and the Coronado Banks Fault that extends in a northwest/southeast direction, just off our coast. In as much as these faults are included as major California earthquake faults, which are subject to becoming active at any time, the City of Lemon Grove is particularly vulnerable to devastation, should an earthquake of such magnitude occur. The potential effects include isolating the City of Lemon Grove from the north and south due to the potential of collapsing freeway overpasses. Additional potential situations inherent in such an occurrence include: water main breaks, broken natural gas mains causing structure and other fires, possible leakage of hazardous materials, the need for rescues from collapsed structures, and the rendering of first aid and other medical attention to large numbers of people. The protection of human life and the preservation of property in the event of such an occurrence support the imposition of fire protection requirements greater than those set forth in the State Building Standard Code and in particular, support the imposition of greater requirements than set forth in Chapter 9 of the 2013 California Fire Code and the 2012 International Fire Code.

FINDING 3

Seasonal climatic conditions during the late summer and fall create numerous serious difficulties to the control and protection against fire in Southern California and Lemon Grove. The hot, dry weather in combination with Santa Ana winds create very dangerous condition to the region including Lemon Grove. Although most of the City of Lemon Grove is developed, many of the City's residential lots are deep, with multiple lots covered by wild vegetation. Access to this vegetation is made difficult by hilly terrain, creating a delay for emergency personnel in the extinguishment of a fire in the area. During this season, Lemon Grove often sends equipment and personnel to other areas of the county and out of county to fight wildland fires. Therefore, the above-described factual findings support the imposition of fire protection requirements greater than those set forth in the State Building Standards Code and in particular, support the imposition of greater requirements than set forth in Chapter 9 of the 2013 California Fire Code and the 2012 International Fire Code.

FINDING 4

The topography of the City of Lemon Grove presents problems in delivery of emergency services, including fire protection. Much of Lemon Grove has hilly terrain with narrow roads and limited circulation, preventing rapid access and orderly evacuation. Wild vegetation exists in and around many of these hilly neighborhoods creating additional potential for the rapid spread of fire. Additionally, the majority of the City is a residential bedroom community with light commercial and business areas adjacent to these residential neighborhoods. Therefore, the afore-described conditions support the imposition of fire protection requirements greater than those set forth in the State Building Standards Code and in particular, support the imposition of greater requirements than set forth in Chapter 9 of the 2013 California Fire Code and the 2012 International Fire Code.

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This ordinance was introduced on November 19, 2013.

PASSED AND ADOPTED this 3 day of December 2013, by the following vote, to wit:

<u>COUNCILMEMBERS</u>	<u>AYES</u>	<u>NOES</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mary Teresa Sessom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Howard Cook	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Gastil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Racquel Vasquez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

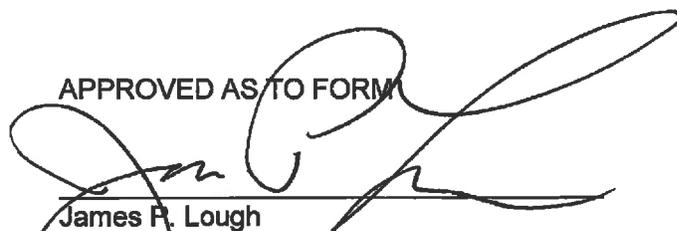

Mary Teresa Sessom, Mayor

This Ordinance shall become effective thirty days following its passage and adoption.

ATTEST AND CERTIFICATION

I hereby certify that this is a true and correct copy of Ordinance No. 419, which has been published pursuant to law.


Susan Garcia
City Clerk

APPROVED AS TO FORM

James P. Lough
City Attorney